

LAVIN, COLEMAN, O'NEIL, RICCI, FINARELLI & GRAY
BY: Edward T. Finch, Esquire
Identification No. 83692
510 Walnut Street, Suite 1000
Philadelphia, PA 19106
(215) 627-0303

EDWARD SOLOMON and NORMA SOLOMON,
Husband and Wife

COURT OF COMMON PLEAS
DELAWARE COUNTY

V.

NO. 02-60130

PNEUMO ABEX CORPORATION, as successor in
interest to Abex Corp., ET AL.

PRAECIPE TO FILE NOTICE OF REMOVAL

TO THE PROTHONOTARY:

Kindly file the attached Notice of Removal in the above-captioned matter.

Respectfully submitted,

LAVIN, COLEMAN, O'NEIL, RICCI,
FINARELLI & GRAY

BY: 

Edward T. Finch, Esquire
Attorney for Defendants,
DaimlerChrysler Corporation,
Ford Motor Company and
General Motors Corporation

SD

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

EDWARD SOLOMON and NORMA SOLOMON,
Husband and Wife

CASE NO. 02-cv-2970

V.

DAIMLERCHRYSLER CORPORATION
FORD MOTOR COMPANY
GENERAL MOTORS CORPORATION
FEDERAL-MOGUL GLOBAL, INC.

NOTICE OF REMOVAL

Defendants DaimlerChrysler Corporation, Ford Motor Company and General Motors Corporation (the "automobile manufacturers") hereby give notice of the removal to the United States District Court for the Eastern District of Pennsylvania of the claims which have been asserted against them in the action captioned Edward Solomon and Norma Solomon, Husband and Wife v. Pneumo Abex Corporation, as successor in interest to Abex Corp., et al. now pending in the Court of Common Pleas of Delaware County, at No. 02-60130. This Notice of Removal is filed pursuant to 28 U.S.C. § 1452(a), and as grounds for removal the automobile manufacturers state the following:

1. The action of which the removed claims are a part was commenced in the Court of Common Pleas of Delaware County.
2. The removed claims are those for personal injury or wrongful death asserted against the automobile manufacturers on the basis of alleged exposure to certain of their asbestos-containing products, including brakes and other automotive parts, manufactured for the automobile

manufacturers by Federal-Mogul Global, Inc., or companies that it purchased, one or more of which is a co-defendant of the automobile manufacturers.

3. On October 1, 2001 Federal-Mogul Global, Inc. filed a voluntary petition for protection under Chapter 11 of the United States Bankruptcy Code, commencing bankruptcy case number 01-10578 (the "Federal-Mogul Bankruptcy Case") currently pending in the United States Bankruptcy Court for the District of Delaware.

4. The removed claims may be removed to this Court pursuant to 28 U.S.C. § 1452(a): (i) the removed claims are asserted in a civil action not exempt from removal; and (ii) the Court has jurisdiction of the removed claims under 28 U.S.C. § 1334. All claims asserted against the Removing Defendants are related to the Federal-Mogul Bankruptcy Case, and the continued prosecution, outcome at trial or other resolution of the claims will have an effect on the administration of the Federal-Mogul Bankruptcy Case.

5. Removal to this Court is timely pursuant to Federal Rule of Bankruptcy Procedure 9027(a)(3) in that the Federal-Mogul Bankruptcy Case was pending when the removed claims were asserted on or after October 1, 2001 and in that this notice has been filed within 30 days of receipt by one or all of the automobile manufacturers of a copy of the initial pleading setting forth the removed claims.

6. Upon removal, the proceedings with respect to the removed claims are non-core. The automobile manufacturers do not consent to entry of a final order or judgment by the bankruptcy judge to the extent the bankruptcy court is authorized to hear or determine such claims consistent with 28 U.S.C. § 157(b)(5).

7. The purpose of removal is to facilitate transfer of the removed claims to the United States District Court for the District of Delaware, the district court presiding over the Federal-Mogul Bankruptcy Case, to resolve on a consolidated basis the common threshold scientific issues concerning whether brakes and other automotive parts cause disease. *See, e.g., In re Dow Corning Corp.*, 1995 W.L. 495978, at *2 (Bankr. E.D. Mich. Aug. 9, 1995) (personal injury tort claims transferred to bankruptcy court pursuant to 28 U.S.C. § 157(b)(5) to resolve threshold scientific issues concerning whether silicone breast implants caused disease after removal to federal court pursuant to 28 U.S.C. § 1452(a)).

8. On November 20, 2001, the automobile manufacturers filed in the Federal-Mogul Bankruptcy Case a motion pursuant to 28 U.S.C. § 157(b)(5) to transfer this and all other claims related to brakes and automotive parts for consolidated resolution of the threshold scientific issues concerning whether brakes and other automotive parts cause disease.

9. On December 10, 2001 the Honorable Alfred M. Wolin issued the attached Order provisionally transferring pursuant to 28 U.S.C. § 157(b)(5) the claims asserted against the automobile manufacturers to the United States District Court for the District of Delaware.

10. On January 3, 2002, Judge Wolin issued a letter opinion and order reiterating that all asbestos friction claims against the automobile manufacturers pending in federal courts as of December 10 had been transferred, and ordering any claims removed after December 10 transferred as well. A copy of the Order and Opinion are attached to this Notice.

11. On February 8, 2002, the Honorable Alfred M. Wolin denied the "Motions to Transfer the 'Friction Claims'" and simultaneously remanded the friction products claims. Attached hereto is a copy of said Order.

12. However, on February 11, 2002, the United States Court of Appeals for the Third Circuit granted a Temporary Stay of Judge Wolin's February 8, 2002 Court Order so that the matter could be considered by a three-judge panel of that court. Attached hereto is a copy of said Order.

13. The Removing Defendants file this Notice of Removal to adequately protect the interests of Removing Defendants and to facilitate transfer of these claims to the United States District Court for the District of Delaware pursuant to Judge Wolin's provisional transfer order.

14. The automobile manufacturers will comply with 28 U.S.C. § 1446(d) by promptly giving notice of the filing of this Notice of Removal to all adverse parties to the action pending in the state court and filing a copy of this Notice of Removal with the prothonotary of the Court of Common Pleas of Delaware County.

Respectfully submitted,

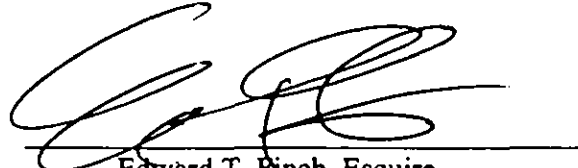
LAVIN, COLEMAN, O'NEIL, RICCI,
FINARELLI & GRAY

BY: 

Edward T. Finch, Esquire
Attorney for Defendants,
DaimlerChrysler Corporation,
Ford Motor Company and
General Motors Corporation

CERTIFICATE OF SERVICE

I, Edward T. Finch, Esquire, hereby certify that pursuant to 28 U.S.C. § 1446(d) written notice of the removal of this action will be promptly given to all adverse parties and a copy of the Notice of Removal will be filed with the Court of Common Pleas.


Edward T. Finch, Esquire

FOR THE EASTERN DISTRICT OF MICHIGAN
the case for the plaintiff

Address of Plaintiff

Defendants (Names and Addresses):

Address of Defendant
Chrysler Corporation
1000 Chrysler Drive
Place Auburn Hills, MI 48326-2766

Ford Motor Company
Parklane Towers West
Suite 1500
Three Parklane Boulevard
Dearborn, MI 48126-2568

General Motors Corporation
400 Renaissance Center
P.O. Box 400
Detroit, MI 48265-4000

Federal-Mogul Global, Inc., individually and/or as parent company, successor in interest, or indemnitor to or of:

Fel-Pro, Inc.,

Ferodo America, Inc.,

Gasket Holdings, Inc., formerly known as Flexitallic Gasket Company,

Moog Automotive Inc., formerly known as Wagner Electric Corporation,

Pneumo Abex Corp., or

T&N plc.

2655 Northwestern Highway
Southfield, MI 48034

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CASE MANAGEMENT TRACK DESIGNATION FORM

EDWARD SOLOMON and NORMA SOLOMON,
Husband and Wife

CASE NO.

V.

DAIMLERCHRYSLER CORPORATION
FORD MOTOR COMPANY
GENERAL MOTORS CORPORATION
FEDERAL-MOGUL GLOBAL, INC.

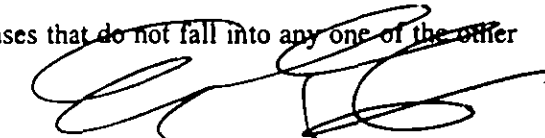
In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See §1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a case management track designation form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. §2441 through §2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 8. ()
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. (X)
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()
- (f) Standard Management – Cases that do not fall into any one of the other tracks. ()

May 17, 2002

(Date)



Attorney-at-law

Edward T. Finch, Esquire

Attorney For

DaimlerChrysler Corporation, Ford Motor Company and General
Motors Corporation

JS44

(Rev. 12/96)

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I (a) PLAINTIFFS

Edward Solomon and Norma Solomon, Husband and Wife

DEFENDANTS

SEE ATTACHED

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF
(EXCEPT IN U.S. PLAINTIFF CASES)

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT
OF LAND INVOLVED

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Lawrence R. Cohan, Esquire
Anapol, Schwartz, Weiss, Cohan, Feldman & Smalley
1900 Delancey Place
Philadelphia, PA 19103
(215) 790-4567

ATTORNEYS (IF KNOWN)

Lavin, Coleman, O'Neil, Ricci, Finarelli & Gray
Penn Mutual Tower
510 Walnut Street - Suite 1000
Philadelphia, PA 19106
(215) 627-0303

II. BASIS OF JURISDICTION (PLACE AN X IN ONE BOX ONLY)

- ☐ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
☐ 3 Federal Question (U.S. Government Not a Party)
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES

(For Diversity Cases Only)

(PLACE AN X IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. CAUSE OF ACTION

(CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY.)

Action for personal injury for asbestos exposure against Federal-Mogul Global, Inc., or companies it purchased and removing defendants, removed pursuant to 28 U.S.C. § 1452(a).

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instruments <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veterans' Benefits <input type="checkbox"/> 160 Stockholders Suits <input type="checkbox"/> 190 Other Contracts <input type="checkbox"/> 195 Contract Product Liability	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 520 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Other	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC § 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Rags <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 442 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (139M) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 890 Other Statutory Actions

VI. ORIGIN

- ☐ 1 Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened

(PLACE AN X IN ONE BOX ONLY)

Transferred from
☐ 5 another district (specify)

☐ 6 Multidistrict Litigation

Appeal to District
☐ 7 Judge from Magistrate Judgment

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A
☐ UNDER F.R.C.P. 23

CLASS ACTION**DEMAND \$**

In Excess of \$50,000.00

Check YES only if demanded in complaint:

JURY DEMAND ☐ YES ☐ NO**VIII. RELATED CASE(S)** (See instructions):
IF ANY

JUDGE

DOCKET NUMBER

01-CV-5981

DATE

SIGNATURE OF ATTORNEY OF RECORD

May 17, 2002

Edward T. Finch, Esquire

RECEIPT# _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

Defendants (Names and Addresses):

DaimlerChrysler Corporation
1000 Chrysler Drive
Auburn Hills, MI 48326-2766

Ford Motor Company
Parklane Towers West
Suite 1500
Three Parklane Boulevard
Dearborn, MI 48126-2568

General Motors Corporation
400 Renaissance Center
P.O. Box 400
Detroit, MI 48265-4000

- Federal-Mogul Global, Inc., individually and/or as parent company, successor in interest, or indemnitor to or of:

Fel-Pro, Inc.,

Ferodo America, Inc.,

Gasket Holdings, Inc., formerly known as Flexitallic Gasket Company,

Moog Automotive Inc., formerly known as Wagner Electric Corporation,

Pneumo Abex Corp., or

T&N plc.

2655 Northwestern Highway
Southfield, MI 48034

COPY

ANAPOL, SCHWARTZ, WEISS, COHAN, FELDMAN & SMALLEY

BY: LAWRENCE R. COHAN, ESQUIRE
MARGARET A. BARRY, ESQUIRE
THOMAS R. ANAPOL, ESQUIRE
MIRIAM B. BARISH, ESQUIRE
HEATHER J. LIPSON, ESQUIRE

I.D. NOS.: 30546; 44056; 62121; 72622; 80914
1900 Delancey Place
Philadelphia, PA 19103
(215) 790-4567

EDWARD SOLOMON and NORMA SOLOMON,
Husband and Wife
1237 Edgehill Road
Darby, Pennsylvania 19023

vs.

PNEUMO ABEX CORPORATION, as
successor in interest to Abex Corp., et al

COURT OF COMMON PLEAS
DELAWARE COUNTY, PA

ASBESTOS CASE

JURY TRIAL DEMANDED

NO. 02-60130

COMPLAINT

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las páginas siguientes, usted tiene veinte (20) días de plazo a partir de la fecha de la demanda y la notificación. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomará medidas y puede continuar la demanda en contra suya sin previo aviso o notificación. Además, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted. LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELÉFONO A LA OFICINA CUYA DIRECCIÓN SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE

**LAWYER REFERRAL SERVICE
DELAWARE COUNTY BAR ASSOCIATION
Front and Lemon Streets
Media, PA 19063
(610) 566-6625**

DEFENDANTS' ADDRESSES

PNEUMO ABEX CORPORATION

c/o Prentice Hall Corporation
2704 Commerce Drive, Suite B
Harrisburg, PA 17110
(DAUPHIN COUNTY)

A-BEST PRODUCTS COMPANY

c/o Carolyn Cappel, Esquire
Westin, Hurd, Fallon, Paisely & Howley
2500 Terminal Tower
50 Public Square
Cleveland, Ohio 44113-2241

A.C. & S. INC.

P.O. Box 1548
120 N. Lime Street
Lancaster, PA 17602
(LANCASTER COUNTY)

AIRCO WELDERS SUPPLY

829 Paxton Street
Harrisburg, PA 17111
(DAUPHIN COUNTY)

ALLIED SIGNAL, INC.

P.O. Box 2245 R
Morristown, New Jersey 07960

A.W. CHESTERTON, INC.

Route 93, Middlesex
Stoneham, MA 02180

BORG WARNER CORPORATION

6700 18½ Mile Road
Sterling Heights, Michigan 48311

COMBUSTION ENGINEERING CO., INC.
c/o Christine L. Astin, Claims Analyst
CVCSC, Inc.
525 Brook Street
Rocky Hill, CT 06067-0950

CONGOLEUM CORPORATION
3705 Quakerbridge Road, Suite 211
Trenton, New Jersey 08619

CROWN, CORK & SEAL CO., INC.
One Crown Way
Philadelphia, PA 19154
(PHILADELPHIA COUNTY)

DAIMLERCHRYSLER CORPORATION
1000 Chrysler Drive
Auburn Hills, Michigan 48326

DANA CORPORATION
P.O. Box 1000
Toledo, Ohio 43697-1000

DREVER FURNACES
Red Lion Road and Philmont Avenue
Huntingdon Valley, PA 19006
(MONTGOMERY COUNTY)

DURABLA MANUFACTURING COMPANY
P.O. Box 700
140 Sherce Boulevard
Exton, PA 19341
(CHESTER COUNTY)

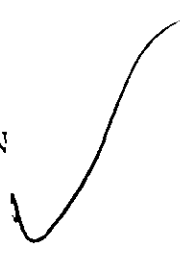
EATON CORPORATION, as successor-in-interest to Cutler-Hammer, Inc.
1111 Superior Avenue, S.E.
Cleveland, OH 44114

FORD MOTOR COMPANY
c/o John Rintamaki
1037 The American Road
Dearborn, Michigan 48121

FOSTER WHEELER CORPORATION
Perryville Corporate Park
Clinton, New Jersey 08809-4000

GARLOCK, INC.
One Marine Midland Plaza
Suite 1830
Rochester, New York 14604-2415

GENERAL MOTORS CORPORATION
c/o C.T. Corporation Systems
1515 Market Street
Philadelphia, PA 19102
(PHILADELPHIA, COUNTY)



GENERAL REFRACTORIES COMPANY
225 City Line Avenue
Bala Cynwyd, PA 19004
(MONTGOMERY COUNTY)

GEORGIA-PACIFIC CORPORATION
c/o C.T. Corporation Systems
1515 Market Street
Philadelphia, PA 19102
(PHILADELPHIA COUNTY)

GTE CORPORATION
A subsidiary of Verizon Communications, Inc.
1095 Avenue of the Americas
New York, New York 10036

HAJOCA PLUMBING
127 Coulter Avenue
Ardmore, PA 19003
(MONTGOMERY COUNTY)

Honeywell International, Inc.
P.O. Box 4000
Morristown, New Jersey 07962

IMO Industries, Inc.
997 Lenox Drive, Suite 111
Building Four West
Lawrenceville, New Jersey 08648

MAGNETEK, INC.
26 Century Boulevard, Suite 600
Nashville, TN 37214-4602

MAREMONT CORPORATION
One Noblitt Plaza
Columbus IN 47201

METROPOLITAN LIFE INSURANCE COMPANY
1 Madison Avenue
New York, New York 10010

OWENS ILLINOIS, INC.
One Sea Gate
Toledo, OH 43604

PALMETTO PRODUCTS
c/o Green Tweed & Company
Detwiler Road
Kulpsville, PA 19443
(MONTGOMERY COUNTY)

PFIZER, INC.
235 East 42nd Street
New York, New York 10017

RAPID AMERICAN CORPORATION
c/o Prentice Hall
2711 Centerville Road, Suite 400
Wilmington, Delaware 19808-1645

RILEY STOKER CORPORATION
Box 2040
Worcester, MA 01606

Royal Electric Company
3233 Hunting Park Avenue
Philadelphia, PA 19132
(PHILADELPHIA COUNTY)

Sager Corporation
c/o Richard C. Polley, Esquire
Dickie, McCamey & Chilcote
Suite 400, Two PPG Place
Pittsburgh, PA 15222
(ALLEGHENY COUNTY)

UNIROYAL, INC.
70 Great Hill Road
Naugatuck, CT 06770

ANAPOL, SCHWARTZ, WEISS, COHAN, FELDMAN & SMALLEY

BY: LAWRENCE R. COHAN, ESQUIRE
MARGARET A. BARRY, ESQUIRE
THOMAS R. ANAPOL, ESQUIRE
MIRIAM B. BARISH, ESQUIRE
HEATHER J. LIPSON, ESQUIRE

I.D. NOS.: 30546; 44056; 62121; 72622; 80914
1900 Delancey Place
Philadelphia, PA 19103
(215) 790-4567

EDWARD SOLOMON and NORMA SOLOMON,
Husband and Wife
1237 Edgehill Road
Darby, Pennsylvania 19023

vs.

PNEUMO ABEX CORPORATION, as
successor in interest to Abex Corp.;
A-BEST PRODUCTS COMPANY;
A.C. & S., INC.;
AIRCO WELDERS SUPPLY;
ALLIED SIGNAL, INC.;
A.W. CHESTERTON, INC.;
BORG WARNER CORPORATION;
BRAND INSULATIONS, INC.;
BURNHAM BOILER CORPORATION;
CLEAVER BROOKS CO., a division of Aqua-Chem, Inc.;
COMBUSTION ENGINEERING CO., INC.;
CONGOLEUM CORPORATION;
CROWN, CORK & SEAL COMPANY;
DAIMLERCHRYSLER CORPORATION;
DANA CORPORATION;
DREVER FURNACES;
DURABLA MANUFACTURING CO.;
EATON CORPORATION, as successor-in-interest to
Cutler-Hammer, Inc.;
FORD MOTOR COMPANY;
FOSTER WHEELER CORPORATION;
GARLOCK, INC.;
GENERAL MOTORS CORPORATION;
GENERAL REFRACTORIES COMPANY;
GEORGIA PACIFIC CORPORATION;
GTE CORPORATION;
HAJOCA PLUMBING COMPANY;
HONEYWELL INTERNATIONAL, INC., successor-in
interest to Allied Signal, Inc.;

COURT OF COMMON PLEAS
DELAWARE COUNTY, PA

ASBESTOS CASE

JURY TRIAL DEMANDED

NO.

IMO INDUSTRIES, INC., as successor in :
 interest to and f/k/a DeLaval Turbine, :
 Transamerica DeLaval and Imo DeLaval; :
 MAGNETEK, INC.; :
 MAREMONT CORPORATION; :
 PALMETTO PRODUCTS, a division of Green Tweed :
 & Company; :
 PFIZER, INC.; :
 OWENS ILLINOIS, INC.; :
 RAPID AMERICAN CORPORATION :
 RILEY STOKER CORPORATION; :
 ROYAL ELECTRIC COMPANY; :
 SAGER CORPORATION; :
 UNIROYAL, INC.; :
 METROPOLITAN LIFE INSURANCE CO. :

COMPLAINT

Pursuant to an Order dated December 26, 1989, signed by the Honorable Francis J. Catania, President Judge, the following Short Form Complaint is utilized in this asbestos action. Plaintiffs hereby incorporate the Master Long Form Complaint as fully as if that document was set forth at length herein including, but not limited to:

COUNT I - (Negligence and Outrageous Conduct)
 COUNT II - (Strict Liability)
 COUNT III - (Conspiracy)
 COUNT IV - (Breach of Warranty)
 COUNT V - (Damages)
 COUNT VI - (Loss of Consortium)

1. The Plaintiffs in the instant matter are:

a. Edward Solomon (Plaintiff-worker)
 1237 Edgehill Road
 Darby, Pennsylvania 19023

Social Security No. 208-28-1747
 Date of Birth: July 5, 1938

b. Norma Solomon (Plaintiff-wife)
 (Plaintiff's address is the same as Plaintiff's)

2. The Defendants are those companies listed in the caption.

3. The Defendants in the instant matter are those listed in the above captioned.

In addition, Plaintiff has named Defendant, RAPID AMERICAN CORPORATION, which was not named in Plaintiffs' Master General Long Form Complaint, No. 90-0001.

Defendant, RAPID AMERICAN CORPORATION, as successor in interest to Philip Carey Corporation, is a corporation whose registered agent address for process of serving is, Prentice Hall, 2711 Centerville Road, Wilmington, Delaware 19808, which is doing business in the Commonwealth of Pennsylvania. At all times material hereto, Defendant, RAPID AMERICAN, manufactured, produced and sold, either directly and indirectly, in the geographical area in which Plaintiff worked, and/or to employers of the Plaintiff and/or to contractors on job sites on which Plaintiff worked, asbestos products, including but not limited to asbestos block, pipe covering and insulation materials.

4. The Defendants in the instant matter are those listed in the above captioned.

In addition, Plaintiff has named Defendant, METROPOLITAN LIFE INSURANCE COMPANY, which was not named in Plaintiffs' Master General Long Form Complaint, No. 90-0001.

Defendant, METROPOLITAN LIFE INSURANCE COMPANY, is an insurance company organized and existing under the laws of the State of New York, has its principal place of business in the State of New York and at all times material hereto was doing business in the Commonwealth of Pennsylvania. It is sued for its conduct and omissions as a consultant to certain defendants.

5. Plaintiff's asbestos employment history including, to the extent possible at this time, the asbestos products to which Plaintiff-worker was exposed is attached hereto as Exhibit I.

6. Plaintiff-worker first learned of his asbestos-related disease, bilateral pleural thickening, on or about April 14, 2000 from Richard B. Levine. Plaintiff-worker first became aware of his asbestos-related disease only after the diagnosis date.

7. Plaintiff-worker's history of tobacco use is as follows:

Plaintiff has smoked 2 to 4 cigars per day from 1985 to the present.

8. A claim for lost wages of the Plaintiff is not asserted at this time, but may become viable in the future.

9. The following person are dependent upon Plaintiff-worker for support:

a. Norma Solomon

10. Plaintiffs hereby certify through their undersigned counsel that they have brought no other claim in a court of law for their asbestos caused injuries.

WHEREFORE, Plaintiffs, Edward Solomon and Norma Solomon, pray for judgment against the Defendants and each of them individually, jointly and/or severally on each of the above Counts, for compensatory damages in an amount in excess of FIFTY-THOUSAND DOLLARS (\$50,000.00) and (except on Count IV) punitive damages in a sum in excess of FIFTY-THOUSAND DOLLARS (\$50,000.00) plus cost of suit, and such other further relief as is just and proper.

ANAPOL, SCHWARTZ, WEISS, COHAN
FELDMAN & SMALLEY

BY Heather J. Lipson
LAWRENCE R. COHAN, ESQUIRE
MARGARET A. BARRY, ESQUIRE
THOMAS R. ANAPOL, ESQUIRE
MIRIAM B. BARISH, ESQUIRE
HEATHER J. LIPSON, ESQUIRE

EDWARD SOLOMON
 PLAINTIFF-WORKER'S ASBESTOS WORK HISTORY
 EXHIBIT I

Commencement Date	Cessation Date	Employer Location	Social Security Number	Job Description	Asbestos Manufacturers Products
1956 1960	1957 1961	Plycel Swarthmore, PA (Paper Co.)	208-28-1747	Tended Paper Machines	See detailed description in Plaintiffs' Master Long Form Complaint
1961	1964	Vertol Swarthmore, PA	" "	Line Mechanic	" "
1964	Present	General Chemical Claymont, DE	" "	Truck Driver/ Yard Gang/ Burners/ Power House/ Store Room	" "

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF

EDWARD SOLOMON, being duly sworn according to law, deposes and says that the facts set forth in the foregoing COMPLAINT are true and correct to the best of his knowledge, information and belief.

BY: Edward Solomon
(X) EDWARD SOLOMON

SWORN TO AND SUBSCRIBED

BEFORE ME THIS 29th DAY

OF March, 2002

Regina Campbell

My Commission Expires: REGINA CAMPBELL
NOTARY PUBLIC of NEW JERSEY
My Commission Expires May 12, 2002